

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOEL PADIN,

Plaintiff,

8:14CV120

vs.

**NOVARTIS CONSUMER HEALTH,
INC.,**

Defendant.

ORDER

This matter is before the court on the defendant's Motion for a Change of Venue (Filing No. 5). The defendant seeks an order changing the place of trial within this district from Omaha, Nebraska, to Lincoln, Nebraska, pursuant to NECivR 40.1. Although the plaintiff initially requested (Filing No. 1) the trial take place in Omaha, Nebraska, the plaintiff did not file any opposition to the defendant's motion to change the place of trial to Lincoln, Nebraska.

In determining the place of trial, "a judge considers the convenience of the litigants, witnesses, and attorneys." NECivR 40.1(b)(1). After reviewing the materials submitted by the parties at this time, the court finds that, upon consideration of all factors pursuant to the local rules, the place of trial should be Lincoln, Nebraska. Upon consideration,

IT IS ORDERED:

1. The defendant's Motion for a Change of Venue (Filing No. 5) is granted.
2. The Clerk of Court shall present this case to the Chief Judge for reassignment, in accordance with NEGenR 1.4(a)(2) and (3), to one of the participating judges from the docket for which this case would be assigned on a random basis if it had originally been filed in Lincoln, Nebraska.
3. The Clerk of Court shall amend the docket in this matter to reflect the place of trial is Lincoln, Nebraska.

Dated this 28th day of May, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge